

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

344 PROVIDENCE ROAD REALTY,  
TRUST, RICHARD J. WUNSCHER,  
and NAUTILUS INSURANCE COMPANY,  
Plaintiffs,

v.

AMERICAN SAFETY RISK RETENTION  
GROUP, INC. and ARCHITECTURAL  
DELEADING, INC.,  
Defendants.

CIVIL ACTION NO. 04-40197-FDS

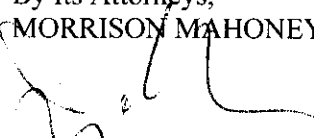
**MOTION OF DEFENDANT ARCHITECTURAL DELEADING, INC. FOR JUDGMENT ON  
THE PLEADINGS**

Now comes the defendant in the above-captioned matter, Architectural Deleading, Inc. ("ADI"), and hereby moves this Honorable Court to enter judgment on the pleadings in favor of the defendant and to dismiss the claims of the plaintiffs, 344 Providence Road Realty Trust and Nautilus Insurance Company.

In support of this Motion, ADI states that the plaintiffs 344 Providence Road Realty Trust and Nautilus Insurance Company have no standing to sue because they were not a party to the contract in question in the instant matter. ADI refers the Court to its Brief in Support of this Motion for Judgment on the pleadings.

Respectfully submitted,  
ARCHITECTURAL DELEADING, INC.

By Its Attorneys,  
MORRISON MAHONEY LLP

  
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John F. Burke, Jr., BBO #065140  
1500 Main Street, Suite 2400  
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(413) 737-4373  
(413) 796-1175 (fax)

Date: May 10, 2005

CERTIFICATION OF CONSULTATION

Counsel to the Defendant, Architectural Deleading, Inc., hereby certifies that, pursuant to Local Rule 7.1(A)(2) of this Court, counsel to the Defendant has conferred with all counsel for the parties, regarding the foregoing Motion of Defendant Architectural Deleading, Inc.'s for Judgment on the Pleadings.

Respectfully submitted,

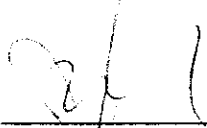
MORRISON MAHONEY LLP

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CERTIFICATE OF SERVICE

I hereby certify that on this 10<sup>th</sup> day of May, 2005, I caused copies of the foregoing document to be served on counsel to the parties to this action and on counsel or representatives of the movants for intervention by first class mail.



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John F. Burke, Jr.